

PATENTS

UNITED STATES PATENT AND TRADEMARK OFFICE

Application:	10/644,571	Examiner:	David J. Isabella
Filed:	August 20, 2003	Art Unit:	3738
Inventor:	Robert Hugh McKenna, et al.	Atty Ref.:	END 5106USNP - 0515143
Title:	<b>METHOD AND APPARATUS TO FACILITATE NUTRITIONAL MALABSORPTION</b>		

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INFORMATION DISCLOSURE STATEMENT

In accordance with 37 CFR 1.97 and 1.98 Applicant herewith submits certain information that the Patent & Trademark Office may wish to consider in examining the above-identified application. The information is listed on the attached PTO/SB/08A and 08B. Copies of the information are also provided. Pursuant to MPEP 609.04(a) II, no copies are provided herewith of U.S. patents cited. Copies of foreign patents and non-patent literature are provided herewith. Please treat all information as prior art until it is proved otherwise. No representation is made or intended that a prior art search has been made, that better information is available, or that the information qualifies as prior art or is material to patentability.

The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment, to Deposit Account No. 06-2226.

Respectfully Submitted,



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Substitute for Form PTO 1449

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT***(use as many sheets as necessary)***Complete if Known**

<b>Application No.</b>	10/644,571
<b>Filing Date</b>	August 20, 2003
<b>First Named Inventor</b>	Robert Hugh McKenna, et al.
<b>Art Unit</b>	3738
<b>Examiner Name</b>	David J. Isabella
<b>Sheet</b>	1 of 1
<b>Attorney Docket No.</b>	END 5106USNP - 0515143

**U.S. PATENT DOCUMENTS**

Examiner initials	Cite No.	DOCUMENT NUMBER	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind code <sup>2</sup> (if known)			
	1	US- 2,127,903	08-23-1938	Arthur Bowen	
	2	US- 5,540,713	07-30-1996	Schnepp-Pesch Wolfram, et al.	
	3	US- 6,132,471	10-17-2000	Frederick C. Johlin Jr.	
	4	US- 2004/0249362	12-09-2004	Andy H. Levine, et al.	

**FOREIGN PATENT DOCUMENTS**

Examiner initials	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind code <sup>5</sup> (if known)				
	1	WO2004/087233	10-14-2004	GY DYNAMICS INC.		
	2	WO03/017882	03-06-2003	SYNECOR LLC		
	3					
	4					

**OTHER PRIOR ART – NON-PATENT LITERATURE DOCUMENTS**

Examiner initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>6</sup>
		EP Search Report Dated March 6, 2006, for EP Patent App. No. 04255027.7	
		EP Search Report Dated October 26, 2006, for EP Patent App. No. 04255027.7	

EXAMINER SIGNATURE \_\_\_\_\_

DATE CONSIDERED \_\_\_\_\_

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.